

HDS-CLH-H

1993 COMPREHENSIVE ZONING MAP
 Adopted by the Baltimore County Council
 Oct. 15, 1993
 Ord. Nos. 93-01, 93-02, 93-03, 93-04, 93-05, 93-06, 93-07, 93-08, 93-09, 93-10, 93-11, 93-12, 93-13, 93-14, 93-15, 93-16, 93-17, 93-18, 93-19, 93-20, 93-21, 93-22, 93-23, 93-24, 93-25, 93-26, 93-27, 93-28, 93-29, 93-30, 93-31, 93-32, 93-33, 93-34, 93-35, 93-36, 93-37, 93-38, 93-39, 93-40, 93-41, 93-42, 93-43, 93-44, 93-45, 93-46, 93-47, 93-48, 93-49, 93-50, 93-51, 93-52, 93-53, 93-54, 93-55, 93-56, 93-57, 93-58, 93-59, 93-60, 93-61, 93-62, 93-63, 93-64, 93-65, 93-66, 93-67, 93-68, 93-69, 93-70, 93-71, 93-72, 93-73, 93-74, 93-75, 93-76, 93-77, 93-78, 93-79, 93-80, 93-81, 93-82, 93-83, 93-84, 93-85, 93-86, 93-87, 93-88, 93-89, 93-90, 93-91, 93-92, 93-93, 93-94, 93-95, 93-96, 93-97, 93-98, 93-99, 93-100

William H. Harrel
 Chairman, County Council

Baltimore County, Maryland

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D1	D2
E1	E2
F1	F2
G1	G2

Revisions

1/1 1/2 1/4 1/2 3/4

Miles 0 1,000 2,000 3,000 4,000 5,000

Feet 0 1,000 2,000 3,000 4,000 5,000

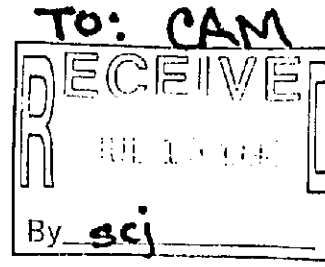
SHEET

A-2

Scale: 1"=1000'

BALTIMORE COUNTY, MARYLAND
OFFICE OF ZONING ADMINISTRATION
and
DEVELOPMENT MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: Mr. Wirth - SWM (2, Pre-App Permit Only) DATE: July 14, 1994
Mr. Stewart - EIRB
Mr. Pilon - WES
Mr. Richards - ZADM, Development Control
Ms. Rorke - ZADM, Street Names & House Numbers
Mr. Bowling - DED (3)
Mr. Weiss - Sanitation
Mr. Beaumont - Office of Low, Real Estate
Capt. Paull - Fire Dept. - 1102 F
Mr. Grossman - Rec & Parks
Mr. Small - SIA
Mr. Butcher - CSP
Mr. McDaniel - Strategic Plan., Development Review (3)



FROM: Donna K. Dennis

SUBJECT: Project Name: Horace Tracey Estate
Project No.: 94130 M DOWNES ROAD
District: 7 c 3
Engineer: Highland Survey Assoc., Inc.
Phone No.: 836-1238

ACTION REQUESTED:
☒ Panhandle Minor CRG Plan Review
☐ Minor Subdivision Review
☐ Pre-approved Building Permits(*)

(*) Please provide separate comments for Building Permits.

(*) NOTE: Please detail any comments where permit cannot be approved, but subdivision approval is acceptable.

Please review the attached plan for compliance with current regulations and return comments to our office by August 4, 1994. If you have no comments or do not need to review this plan, please indicate by placing your initials here.

NONRESPONSIVENESS BY THE AFOREMENTIONED DATE IS CONSIDERED TO BE CONCURRENCE BY YOUR OFFICE OF THE PLAN.

Thank you for your timely attention to our request.

DKD:bje Comments Date: 8/31/94 Comments Typed: 8/31/94

Provide a zoning history by case number on the plan including the date of the last Order, what was requested, granted or denied and listing and indicating compliance with any restrictions including, but not necessarily limited to, case numbers #93-263, #93-337, and #94-493.

Catherine A. Milton, Planner I

RE: PETITION FOR SPECIAL HEARING
W/S Downes Road, 3160' SE of c/l
Sampson Road, 7th Election Dist.,
3rd Councilmanic

BEFORE THE
ZONING COMMISSIONER
FOR BALTIMORE COUNTY

Robert A. Diem, Personal Representa-
tive Estate Horace Wilson Tracey
Petitioner

CASE NO.: 94-493-SPH

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County
Carole S. Demillo
CAROLE S. DEMILLO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 27th day of June, 1994, a copy of the foregoing Entry of Appearance was mailed to John L. Calhoun, Esquire, 1200 E. Joppa Road, Towson, MD 21204, attorney for Petitioner.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
JOHN CALHOUN - Counsel	7800 YORK RD. SUITE 135 TOWSON MD 21204
<i>Eric Schmitt</i>	4501 FAWN GROVE RD. STREET MD 21154
<i>Leo F. Partridge</i>	7800 YORK RD SUITE 135 TOWSON, MD 21204

John L. Calhoun
John L. Calhoun
7800 YORK ROAD
SUITE 135
TOWSON, MARYLAND 21204
(410) 321-1818
FAX (410) 321-1889

JOHN L. CALHOUN
"ADMITTED MD, D.C., PA & FLA"
KATY B. SHIELDS
PARALEGAL

July 7, 1994

LEOF. PARTRIDGE
TAX COUNSEL
JOHN H. CALHOUN (1920 - 1983)
FRANK S. SOLOMON (1918 - 1993)

Peter Max Zimmerman, Esq.
People's Counsel for Baltimore County
Room 47, Courthouse
400 Washington Avenue
Towson, Maryland 21204

RE: Case #94-493-SPH (Item 460)
w/s Downes Rd. S/E Sampson Rd.
7th District, 3rd Councilmanic
Estate of Horace Tracey

Dear Mr. Zimmerman:

Receipt of your Notice of Appearance is acknowledged. Please note per the attached there is a hearing set for July 13, 1994 at 10:00 a.m. on approving a non-density transfer of a small panhandle as part of this Estate property in order to provide road access.

Very truly yours,

John L. Calhoun

JLC:ec

Enc. Notice of Hearing

PETITIONER'S
EXHIBIT

AGENDA/WORKSHEET

Check wording ☒
Fill in filing date ☒
Estimated time ☒
Attorney & number ☒
Prior hearings ☒
Violation ☒
Development ☒
Alternative name ☒
Case number ☒
Hearing/Close date ☒
*TYPEWRITEN WORK
Administrative List ☒
Notice Case Number ☒
"mailed to parties" ☒
Index Cards ☒
1 card w/plat to Dave ☒
1 card alphabetical ☒
1 card numeric ☒
Month ZC Document ☒
Notice/AD copy ☒
Notice to parties ☒
AD copy to AD bin ☒
Index Cards ☒
1 card plat to Dave ☒
1 card alt. circular ☒
1 card numeric ☒
NO STAR - BOTH
*ONE STAR - ADMINISTRATIVE
*TWO STARS - OTHERS

Printed with Soy-based ink
on Recycled Paper

Formed By	Item	Case #

ZONING OFFICE USE ONLY

PLAN TO ACCOMPANY
SPECIAL HEARING FOR
NON-DENSITY TRANSFER
LANDS OF
HORACE W. TRACEY ESTATE
SEVENTH ELECTION DISTRICT
BALTIMORE COUNTY MARYLAND

LOCATED ON DOWNES RD.
4501 FAWN GROVE ROAD
STREET, MARYLAND 21154
410-556-1238

DATE 7/13/93 1:30 PM 72042-02

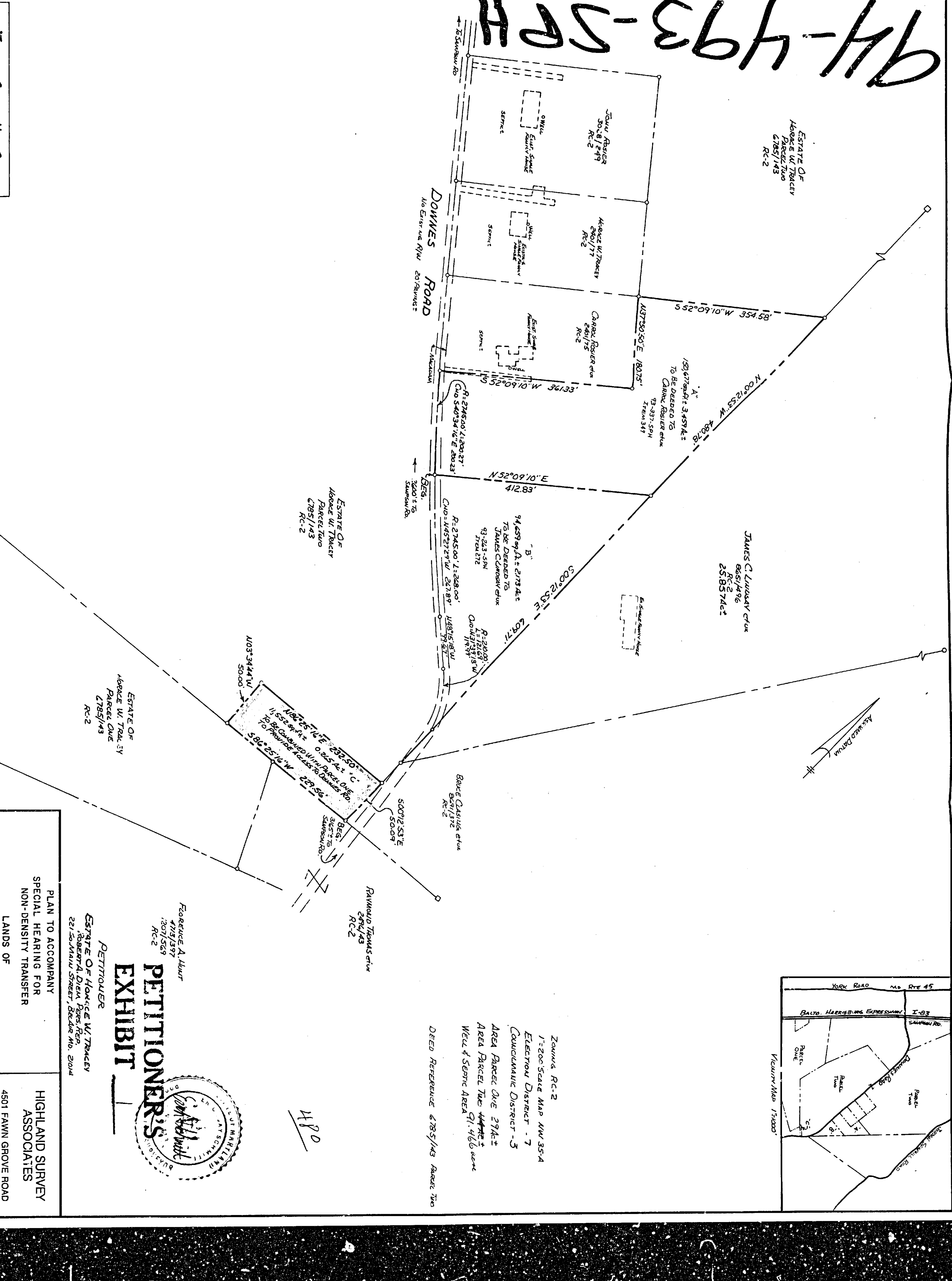
DATE 7/13/93 1:30 PM 72042-02

DATE 7/13/93 1:30 PM 72042-02

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DATE 7/13/93 1:30 PM 72042-02

DATE 7/13/93 1:30 PM 72042-02



Baltimore County Government
Office of Zoning Administration
and Development Management
111 West Chesapeake Avenue
Towson, MD 21204
(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

Arnold Jablon, Director

For newspaper advertising:

Item No.: 480

Petitioner: Estate of Horace Wilson Tracey, ROBT DIEM PR.

Location: JAMES ROAD IN THE 7th ELECTION DISTRICT

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Law Office of John L. Calhoun

ADDRESS: 700 York Road

Towson, Maryland 21204

* PHONE NUMBER: 321-1818

MUST BE SUPPLIED

Item Number: 480
Planner: JJS
Date Filed: ?

PETITION PROCESSING FLAG

This petition has been accepted for filing, after an initial review, and has been placed on the agenda for the zoning advisory committee. However, the following items were found to be missing or incomplete when the petition was included on the agenda by Sophia. A copy of this "flag" will be placed in the case file for the Zoning Commissioner's review. The planner that accepted the petition for filing has the option of notifying the petitioner and/or attorney prior to the hearing or Zoning Commissioner's review of the petition regarding the items noted below. If the petitioner/attorney is contacted by the planner, it is the petitioner's ultimate decision and responsibility to make a proper application, address any zoning conflicts, and to file revised petition materials if necessary. Delays and unnecessary additional expenses may be avoided by correcting the petition to the proper form.

Need an attorney

The following information is missing:

- Descriptions, including accurate beginning point
- Actual address of property
- Zoning
- Acreage
- Plats (need 12, only submitted)
- 200 scale zoning map with property outlined
- Election district
- Councilmanic district
- BCR section information and/or wording
- Hardship/practical difficulty information
- Owner's signature (need minimum 1 original signature) and/or printed name and/or address and/or telephone number
- Contract purchaser's signature (need minimum 1 original signature) and/or printed name and/or address and/or telephone number
- Signature (need minimum 1 original signature) and/or printed name and/or title of person signing for legal owner/contract purchaser
- Power of attorney or authorization for person signing for legal owner and/or contract purchaser
- Attorney's signature (need minimum 1 original signature) and/or printed name and/or address and/or telephone number
- Notary Public's section is incomplete and/or incorrect and/or commission has expired

PET-FLAG (TXISOPH)
11/17/93

TO: FUTURE PUBLISHING COMPANY
June 23, 1994 Issue - Jeffersonian

Please forward billing to:

John L. Calhoun, Esquire
7800 York Road
Towson, Maryland 21204
321-1818

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 94-493-SPH (Item 480)
W/S Downes Road, 3160' SE of c/j Simpson Road
7th Election District - 3rd Councilmanic
Legal Owner: Robert A. Diem, Personal Representative Estate Horace Wilson Tracey
HEARING: WEDNESDAY, JULY 13, 1994 at 10:00 a.m. in Rm. 118 Old Courthouse

Special Hearing to approve a non-density transfer involving a landlocked parcel of land of the Estate of Horace Wilson Tracey to provide access to Downes Road

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

Baltimore County Government
Office of Zoning Administration
and Development Management
111 West Chesapeake Avenue
Towson, MD 21204
(410) 887-3353

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 94-493-SPH (Item 480)
W/S Downes Road, 3160' SE of c/j Simpson Road
7th Election District - 3rd Councilmanic
Legal Owner: Robert A. Diem, Personal Representative Estate Horace Wilson Tracey

Special Hearing to approve a non-density transfer involving a landlocked parcel of land of the Estate of Horace Wilson Tracey to provide access to Downes Road

HEARING: WEDNESDAY, JULY 13, 1994 at 10:00 a.m. in Rm. 118 Old Courthouse

Arnold Jablon
Director

cc: Robert A. Diem
John L. Calhoun

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

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on Recycled Paper

Baltimore County Government
Office of Zoning Administration
and Development Management
111 West Chesapeake Avenue
Towson, MD 21204
(410) 887-3353

July 5, 1994

John L. Calhoun, Esquire
1200 East Joppa Road
Towson, Maryland 21204

RE: Case No. 94-493-SPH, Item No. 480
Petition for Special Hearing
Petitioner: Robert A. Diem, Personal Representative
of the Estate of Horace Wilson Tracey, deceased

Dear Mr. Calhoun:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above-referenced petition, which was accepted for filing on June 3, 1994 and scheduled for a hearing accordingly. Any attached comments from a reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e., zoning commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the hearing file.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1. The director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by zoning personnel.

Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

6-10-94

Ms. Charlotte Minton
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No.: 480 (JJS)

Dear Ms. Minton:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small
for DAVID N. RAMSEY, ACTING CHIEF
John Constable, Chief
Engineering Access Permits
Division

BS/

My telephone number is _____
Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2256 24-hour Toll Free
Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and
Development Management
DATE: June 14, 1994

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):
Item Nos. 448, 462, 463, 464, 468, 470, 471, 472, 473, 474, 477, 478, 479 and 480.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by: Jeffrey M. Long

Division Chief: Gary Kerns

PK/JL:lw

ZAC.448/PZONE/ZAC1

Baltimore County Government
Fire Department
700 East Joppa Road Suite 901
Towson, MD 21286-5500
(410) 887-1500

DATE: 06/14/94

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW
LOCATION: SEE BELOW

Item No.: SEE BELOW
Zoning Agenda:

Gentlemen:
Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.
B. The Fire Marshal's Office has no comments at this time.
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 471, 472, 473, 474, 476, 477, 478, 479 AND 480.

RECEIVED
JUN 14 1994
ZAC:11

REVIEWER: LT. ROBERT P. SPOONER
Fire Marshal Office, PHONE: 887-4081, 113-1100

cc: File

Printed on Recycled Paper

IN RE: PETITION FOR SPECIAL HEARING
SW/4 of Downes Road, 3165' SW
of Sampson Road
(Lot C of Parcel Two of the
Estate of Horace W. Tracey)
7th Election District
3rd Councilmanic District

BEFORE THE
DEPUTY ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 94-493-SPH

Robert A. Diem, Pers. Repr. for
the Estate of Horace W. Tracey - Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Special Hearing for that property known as Lot C of Parcel Two of the Estate of Horace W. Tracey, located on Downes Road in the vicinity of Parkton in northern Baltimore County. The Petition was filed by the owners of the property, the Estate of Horace W. Tracey, by their personal representative, Robert A. Diem, through John L. Calhoun, Esquire. The Petitioner seeks a special hearing to approve the non-density transfer of 0.265 acres, more or less, to provide access for Parcel 1 to Downes Road. The subject property and relief sought are more particularly described on the site plan submitted into evidence as Petitioner's Exhibit 1.

Appearing on behalf of the Petition were John L. Calhoun, Esquire, attorney for the Petitioners, Eric Schmitt, Registered Professional Surveyor, and Leo Partridge. There were no Protestants present.

Testimony and evidence offered revealed that the Estate of Horace W. Tracey owns two parcels containing a combined area of 120.466 acres, more or less, zoned R.C. 2 and is located southeast of the I-83 Expressway and Downes Road. Parcel 1 of the Estate, which consists of approximately 94 acres, has no access to Downes Road and is therefore, a landlocked parcel of land. The Petitioners are desirous of transferring 0.265 acres, more or less, from Parcel 2 to Parcel 1 to provide access to Downes Road.

ORDER RECEIVED FOR FILING
Date 8/14/94
By [Signature]

for Parcel 1. Testimony indicated that this transfer is for non-density purposes, only, and will not create any additional density units for Parcel 1.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship would result if the relief requested in the special hearing were not granted. It has been established that the requirements from which the Petitioner seeks relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not be detrimental to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the special hearing should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 14th day of August, 1994 that the Petition for Special Hearing to approve the non-density transfer of 0.265 acres, more or less, from Parcel 2 to Parcel 1 to provide access for Parcel 1 to Downes Road, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

- 1) The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

- 2 -

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112, Courthouse
400 Washington Avenue
Towson, MD 21201

(410) 887-4386

August 11, 1994

John L. Calhoun, Esquire
1200 East Joppa Road
Towson, Maryland 21286

RE: PETITION FOR SPECIAL HEARING
SW/4 of Downes Road, 3165' W of Sampson Road
(Lot C of Parcel Two of the Estate of Horace W. Tracey)
7th Election District - 3rd Councilmanic District
Robert A. Diem, Personal Representative for
the Estate of Horace W. Tracey - Petitioners
Case No. 94-493-SPH

Dear Mr. Calhoun:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

[Signature]
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. Robert A. Diem
139 N. Main Street, Suite 306, Bel Air, Md. 21014

People's Counsel

File

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 7th
Posted for: Special Hearing
Petitioner: Robert A. Diem - Rep. of Estate of Horace W. Tracey
Location of property: W. Downes Rd., 3165' SE of Sampson Rd.
Location of Sign: Along road, on property being transferred
Remarks:
Posted by: [Signature]
Number of Signs: 1
Date of Posting: 8/14/94
Date of return: 8/14/94

CERTIFICATE OF PUBLICATION

TOWSON, MD. 8/23/94

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 8/23/94

THE JEFFERSONIAN,
A. Henrichs
LEGAL AD. - TOWSON

NOTES: (1) Failure to comply with the provisions of the Zoning Ordinance may result in the revocation of the special hearing. (2) The Zoning Commissioner may, at his/her discretion, require the petitioner to post a bond to guarantee the payment of the costs of the special hearing. (3) The Zoning Commissioner may, at his/her discretion, require the petitioner to post a bond to guarantee the payment of the costs of the special hearing. (4) The Zoning Commissioner may, at his/her discretion, require the petitioner to post a bond to guarantee the payment of the costs of the special hearing.



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County
for the property located at Downes Road
which is presently zoned RC 2

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

A non-density transfer involving a landlocked parcel of land of the Estate of Horace Wilson Tracey to be combined with another parcel of land of the Estate of Horace Wilson Tracey to provide access to Downes Road.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessor
Type or Print Name: N/A
Signature: [Signature]
Address: [Address]
City: [City] State: [State] Zipcode: [Zipcode]
Attorney for Petitioner
John L. Calhoun
Signature: [Signature]
Address: 1200 E. Joppa Rd., 321-1818
Towson, Maryland 21286
Phone No: [Phone No]
City: [City] State: [State] Zipcode: [Zipcode]
Name, Address and phone number of legal owner, contract purchaser or representative to be contacted:
John L. Calhoun - Representative
1200 East Joppa Rd., Towson, Md. 21286
Phone No: (410) 321-1818
OFFICE USE ONLY
ESTIMATED LENGTH OF HEARING: 1 hour
Date of Hearing: 8/14/94
All: []
Reviewed by: [Signature] DATE: 8-14-94

STATEMENT TO ACCOMPANY PETITION FOR SPECIAL HEARING

The Estate of Horace Wilson Tracey, through its Personal Representative Robert A. Diem, and his representative John L. Calhoun, now seeks the Zoning Commissioner of Baltimore County's approval to combine two parcels of real estate. The first parcel, consisting of 0.265 acres (+/-), is zoned R. C. 2 and is located on the southerly side of Downes Road, Seventh Election District, Baltimore County, State of Maryland. The second, and adjacent, parcel, designated Parcel One from the Estate of Horace Wilson Tracey, consists of 29 acres (+/-), is zoned R. C. 2 and is located on the southerly side of Downes Road, Seventh Election District, Baltimore County, State of Maryland.

The Estate of Horace Wilson Tracey is the owner of both pieces of real estate in question. The purpose of this combination is to provide public road access to the otherwise landlocked Parcel One. Parcel One is a buildable parcel of land, meeting all present zoning requirements, save for its lack of access. The combination of the 0.265 acre parcel with Parcel One will not confer greater or more intensive land use potential than that which Parcel One already enjoys.

The Personal Representative of the Estate of Horace Wilson Tracey, by this application, requests a non-density transfer without development rights and does not request, nor does he intend to seek, a resubdivision of the combined lots for more than the existing building sites now available under the current RC 2 zoning.

ZONING DESCRIPTION FOR 0.265 ACRE PARCEL OF THE ESTATE OF HORACE WILSON TRACEY LOCATED ON DOWNES ROAD IN THE SEVENTH ELECTION DISTRICT AND IN THE THIRD COUNCILMANIC DISTRICT

BEGINNING at a point near the edge of Downes Road which has a paving width of 20 feet at a distance of approximately 3160 feet southeasterly of the centerline of Sampson Road which has a paving width of 24 feet. As recorded in Deed Liber 6785 Folio 143 contained within the following courses and distances.

1. S 86°25'16" W 229.56 feet;
2. N 03°34'44" W 50.00 feet;
3. N 86°25'16" E 232.50 feet;
4. S 00°12'53" E 50.09 feet;

CONTAINING 11,552 square feet or 0.265 acres of land more or less.



Baltimore County
Zoning Administration &
Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

receipt
94-493-SPH

Account: R001-4150

Date 6-3-94

Item Number 480

Taken by [Signature]

Owner(s): Estate of Horace W. Tracey

Site: 0.265 acre parcel west side Downes Rd, 3160 ft. SE of centerline of Sampson Rd.

030 - Special Hearing (Residential) - \$50.00

080 - Sign & Posting - \$35.00

Total - \$85.00

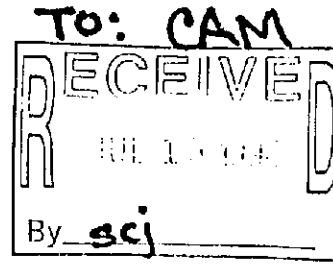
06/03/94 11:21:00
RD 0311: 3160-03-94

\$85.00

Cashier Validation

BALTIMORE COUNTY, MARYLAND
OFFICE OF ZONING ADMINISTRATION
and
DEVELOPMENT MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: Mr. Wirth - SWM (2, Pre-App Permit Only) DATE: July 14, 1994
Mr. Stewart - EIRB
Mr. Pilon - WES
Mr. Richards - ZADM, Development Control
Ms. Rorke - ZADM, Street Names & House Numbers
Mr. Bowling - DED (3)
Mr. Weiss - Sanitation
Mr. Beaumont - Office of Low, Real Estate
Capt. Paul - Fire Dept. - 1102 F
Mr. Grossman - Rec & Parks
Mr. Small - SIA
Mr. Butcher - CSP
Mr. McDaniel - Strategic Plan., Development Review (3)



FROM: Donna K. Dennis

SUBJECT: Project Name: Horace Tracey Estate
Project No.: 94130 M DOWNES ROAD
District: 7 c 3
Engineer: Highland Survey Assoc., Inc.
Phone No.: 836-1238

ACTION REQUESTED:
☒ Panhandle Minor CRG Plan Review
☐ Minor Subdivision Review
☐ Pre-approved Building Permits(*)

(*) Please provide separate comments for Building Permits.

(*) NOTE: Please detail any comments where permit cannot be approved, but subdivision approval is acceptable.

Please review the attached plan for compliance with current regulations and return comments to our office by August 4, 1994. If you have no comments or do not need to review this plan, please indicate by placing your initials here.

NONRESPONSIVENESS BY THE AFOREMENTIONED DATE IS CONSIDERED TO BE CONCURRENCE BY YOUR OFFICE OF THE PLAN.

Thank you for your timely attention to our request.

DKD:bje Comments Date: 8/31/94 Comments Typed: 8/31/94

Provide a zoning history by case number on the plan including the date of the last Order, what was requested, granted or denied and listing and indicating compliance with any restrictions including, but not necessarily limited to, case numbers #93-263, #93-337, and #94-493.

Catherine A. Milton, Planner I

RE: PETITION FOR SPECIAL HEARING *
W/S Downes Road, 3160' SE of c/l
Sampson Road, 7th Election Dist.,
3rd Councilmanic *
BEFORE THE *
ZONING COMMISSIONER *
FOR BALTIMORE COUNTY *
Robert A. Diem, Personal Representa- *
tive Estate Horace Wilson Tracey *
Petitioner *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County
Carole S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 27th day of June, 1994, a copy of the foregoing Entry of Appearance was mailed to John L. Calhoun, Esquire, 1200 E. Joppa Road, Towson, MD 21204, attorney for Petitioner.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

PLEASE PRINT CLEARLY PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
JOHN CALHOUN - Counsel	7800 YORK RD. SUITE 135 TOWSON MD 21204
<i>Eric Schmitt</i>	4501 FAWN GROVE RD. STREET MD 21154
<i>Leo F. Partridge</i>	7800 YORK RD SUITE 135 TOWSON, MD 21204

John L. Calhoun
John L. Calhoun
7800 YORK ROAD
SUITE 135
TOWSON, MARYLAND 21204
(410) 321-1818
FAX (410) 321-1889

JOHN L. CALHOUN
"ADMITTED MD, D.C., PA & FLA"
KATY B. SHIELDS
PARALEGAL

July 7, 1994

LEOF. PARTRIDGE
TAX COUNSEL
JOHN H. CALHOUN (1920 - 1983)
FRANK S. SOLOMON (1918 - 1993)

Peter Max Zimmerman, Esq.
People's Counsel for Baltimore County
Room 47, Courthouse
400 Washington Avenue
Towson, Maryland 21204

RE: Case #94-493-SPH (Item 460)
w/s Downes Rd. S/E Sampson Rd.
7th District, 3rd Councilmanic
Estate of Horace Tracey

Dear Mr. Zimmerman:

Receipt of your Notice of Appearance is acknowledged. Please note per the attached there is a hearing set for July 13, 1994 at 10:00 a.m. on approving a non-density transfer of a small panhandle as part of this Estate property in order to provide road access.

Very truly yours,

John L. Calhoun

JLC:ec

Enc. Notice of Hearing

PETITIONER'S
EXHIBIT

AGENDA/WORKSHEET

Check wording ☒
Fill in filing date ☒
Estimated time ☒
Attorney & number ☒
Prior hearings ☒
Violation ☒
Development ☒
Alternative name ☒
Case number ☒
Hearing/Close date ☒
*TYPEWRITTEN WORK
Administrative List ☒
Notice Case Number ☒
"mailed to parties" ☒
Index Cards ☒
1 card w/plat to Dave ☒
1 card alphabetical ☒
1 card numeric ☒
Month ZC Document ☒
Notice/AD copy ☒
Notice to parties ☒
AD copy to AD bin ☒
Index Cards ☒
1 card plat to Dave ☒
1 card alt. alphabetical ☒
1 card numeric ☒
NO STAR - BOTH
*ONE STAR - ADMINISTRATIVE
*TWO STARS - OTHERS

Printed with Soy-based ink
on Recycled Paper

Formed By	Item	Case #

ZONING OFFICE USE ONLY

PLAN TO ACCOMPANY
SPECIAL HEARING FOR
NON-DENSITY TRANSFER
LANDS OF
HORACE W. TRACEY ESTATE
SEVENTH ELECTION DISTRICT
BALTIMORE COUNTY MARYLAND
LOCATED ON DOWNES RD.
4501 FAWN GROVE ROAD
STREET, MARYLAND 21154
410-556-1238

PETITIONER'S
EXHIBIT

PETITIONER
ESTATE OF HORACE W. TRACEY
4501 FAWN GROVE ROAD
STREET, MARYLAND 21154
410-556-1238

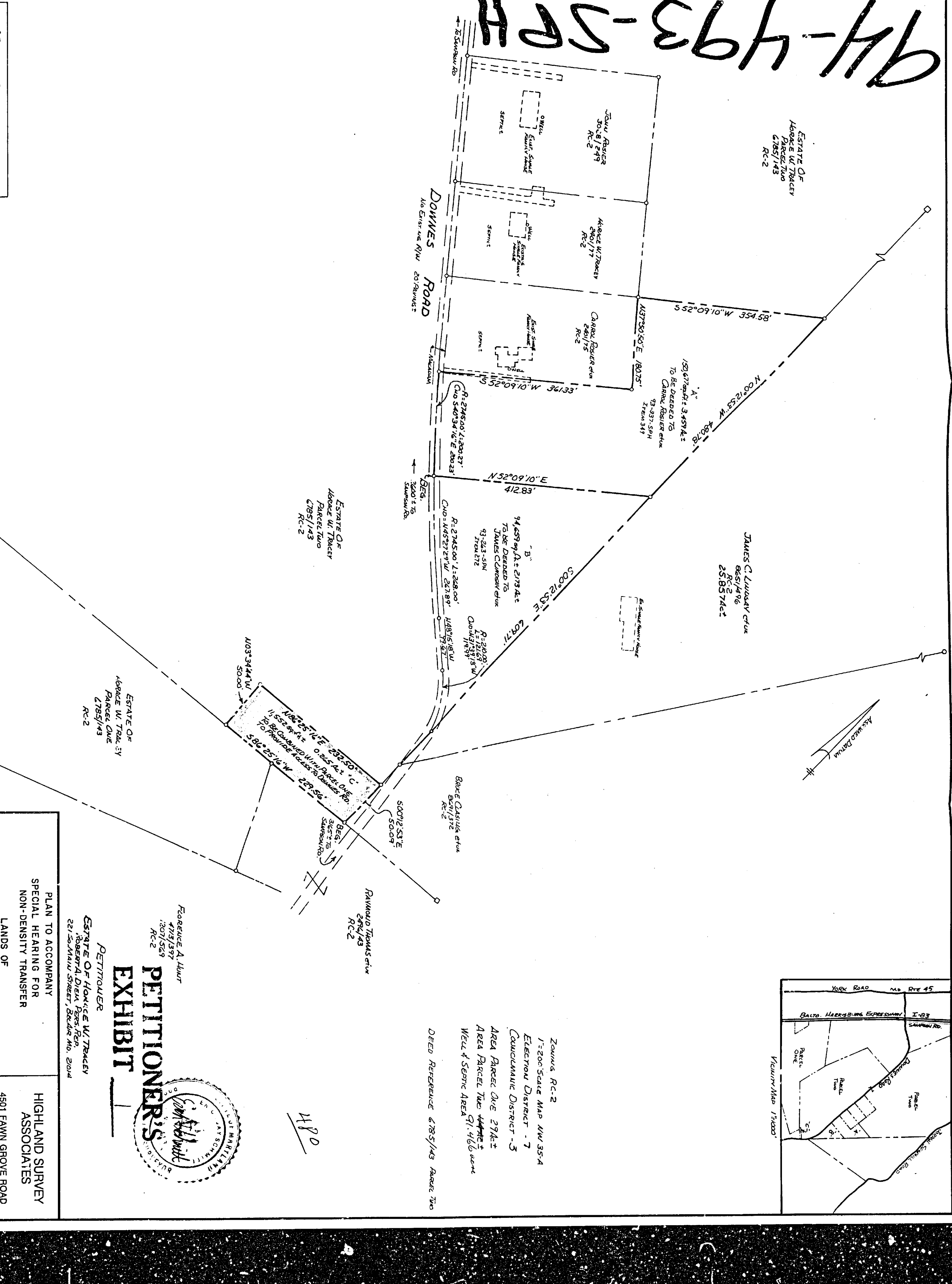
FOSTER & HUNT
ESTATE ATTORNEYS
1201/553
RC-2

DEED REFERENCE 6/83/143 Area Two

DEED REFERENCE 6/83/143 Area Two

DEED REFERENCE 6/83/143 Area Two

DEED REFERENCE 6/83/143 Area Two



Baltimore County Government
Office of Zoning Administration
and Development Management
111 West Chesapeake Avenue
Towson, MD 21204
(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

Arnold Jablon, Director

For newspaper advertising:

Item No.: 480

Petitioner: Estate of Horace Wilson Tracey, RST. Dism. PR.

Location: James Road in the 7th Election District

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Law Office of John L. Calhoun

ADDRESS: 7800 York Road

Towson, Maryland 21204

* PHONE NUMBER: 321-1818

MUST BE SUPPLIED

Item Number: 480
Planner: JJS
Date Filed: ?

PETITION PROCESSING FLAG

This petition has been accepted for filing, after an initial review, and has been placed on the agenda for the zoning advisory committee. However, the following items were found to be missing or incomplete when the petition was included on the agenda by Sophia. A copy of this "flag" will be placed in the case file for the Zoning Commissioner's review. The planner that accepted the petition for filing has the option of notifying the petitioner and/or attorney prior to the hearing or Zoning Commissioner's review of the petition regarding the items noted below. If the petitioner/attorney is contacted by the planner, it is the petitioner's ultimate decision and responsibility to make a proper application, address any zoning conflicts, and to file revised petition materials if necessary. Delays and unnecessary additional expenses may be avoided by correcting the petition to the proper form.

Need an attorney

The following information is missing:

- Descriptions, including accurate beginning point
- Actual address of property
- Zoning
- Acreage
- Plats (need 12, only submitted)
- 200 scale zoning map with property outlined
- Election district
- Councilmanic district
- BCR section information and/or wording
- Hardship/practical difficulty information
- Owner's signature (need minimum 1 original signature) and/or printed name and/or address and/or telephone number
- Contract purchaser's signature (need minimum 1 original signature) and/or printed name and/or address and/or telephone number
- Signature (need minimum 1 original signature) and/or printed name and/or title of person signing for legal owner/contract purchaser
- Power of attorney or authorization for person signing for legal owner and/or contract purchaser
- Attorney's signature (need minimum 1 original signature) and/or printed name and/or address and/or telephone number
- Notary Public's section is incomplete and/or incorrect and/or commission has expired

PET-FLAG (TXISOPH)
11/17/93

TO: FUTURE PUBLISHING COMPANY
June 23, 1994 Issue - Jeffersonian

Please forward billing to:

John L. Calhoun, Esquire
7800 York Road
Towson, Maryland 21204
321-1818

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 94-493-SPH (Item 480)
W/S Downes Road, 3160' SE of c/l Sargen Road
7th Election District - 3rd Councilmanic

Legal Owner: Robert A. Diem, Personal Representative Estate Horace Wilson Tracey
HEARING: WEDNESDAY, JULY 13, 1994 at 10:00 a.m. in Rm. 118 Old Courthouse

Special Hearing to approve a non-density transfer involving a landlocked parcel of land of the Estate of Horace Wilson Tracey to provide access to Downes Road

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

Baltimore County Government
Office of Zoning Administration
and Development Management
111 West Chesapeake Avenue
Towson, MD 21204
(410) 887-3353

NOTICE OF HEARING

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Special Hearing to approve a non-density transfer involving a landlocked parcel of land of the Estate of Horace Wilson Tracey to provide access to Downes Road

HEARING: WEDNESDAY, JULY 13, 1994 at 10:00 a.m. in Rm. 118 Old Courthouse

Arnold Jablon
Director

cc: Robert A. Diem
John L. Calhoun

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

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on Recycled Paper

Baltimore County Government
Office of Zoning Administration
and Development Management
111 West Chesapeake Avenue
Towson, MD 21204
(410) 887-3353

July 5, 1994

John L. Calhoun, Esquire
1200 East Joppa Road
Towson, Maryland 21204

RE: Case No. 94-493-SPH, Item No. 480
Petition for Special Hearing
Petitioner: Robert A. Diem, Personal Representative
of the Estate of Horace Wilson Tracey, deceased

Dear Mr. Calhoun:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above-referenced petition, which was accepted for filing on June 3, 1994 and scheduled for a hearing accordingly. Any attached comments from a reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e., zoning commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the hearing file.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1. The director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by zoning personnel.

Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

6-10-94

Ms. Charlotte Minton
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No.: 480 (JJS)

Dear Ms. Minton:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small
for DAVID N. RAMSEY, ACTING CHIEF
John Constable, Chief
Engineering Access Permits
Division

BS/

My telephone number is _____
Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2256 Statewide Toll Free
Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

**BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE**

TO: Arnold Jablon, Director
Zoning Administration and
Development Management
DATE: June 14, 1994

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):
Item Nos. 448, 462, 463, 464, 468, 470, 471, 472, 473, 474, 477, 478, 479 and 480.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by: Jeffrey M. Long
Division Chief: Gary Kerns

PK/JL:lw

ZAC.448/PZONE/ZAC1

Baltimore County Government
Fire Department
700 East Joppa Road Suite 901
Towson, MD 21286-5500
(410) 887-1500

DATE: 06/14/94

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Deed: SEE BELOW
LOCATION: SEE BELOW

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:
Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.
B. The Fire Marshal's Office has no comments at this time.
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 471, 472, 473, 474, 476, 477, 478, 479 AND 480.

RECEIVED
JUN 14 1994
ZAD:1

REVIEWER: LT. ROBERT P. SPOONER
Fire Marshal Office, PHONE: 887-4081, 113-1100

cc: File

Printed on Recycled Paper

